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WIGGIN & DANA  
ATTENTION: PATENT DOCKETING  
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**MAY 16 2001**

**OFFICE OF PETITIONS  
A/C PATENTS**

In re Application of	:	
Edward R Knapp et al.	:	DECISION GRANTING
Application No. 09/757,842	:	PETITION
Filed: January 10, 2001	:	
Attorney Docket No. 102088-300	:	

This is a decision on the petition under 37 CFR 1.10(d) filed March 14, 2001, requesting that the above-identified application be accorded a filing date of January 10, 2001, rather than the presently accorded filing date of January 11, 2001.

Petitioners requests the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on January 10, 2001. The petition is accompanied by the copies of the USPS Track/Confirm system information showing that the package bearing Express Mail label No. EL662116464US was accepted on January 10, 2001. The same Express Mail receipt number was referred to in the copy of the original Application Transmittal Letter submitted with the present petition.

In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on January 10, 2001.

Receipt of the declaration filed April 23, 2001 is acknowledged in response to the Notice To File Missing Parts of Nonprovisional Application mailed February 28, 2001.

The petition is granted.

The application is being returned to Initial Patent Examination Division for correction of the filing date to January 10, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

A handwritten signature in cursive script, appearing to read "Sherry Brinkley".

Sherry Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy